

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

### **I. Amendments to the Claims**

Independent claims 1, 20, 24, 25, 27 and 29 have been amended to clarify features of the invention recited therein and to further distinguish the present invention from the references relied upon in the rejections discussed below.

In addition, dependent claims 2, 4, 5, 21 and 22 have been amended to remain consistent with amended independent claims 1, 20, 24, 25, 27 and 29.

### **II. 35 U.S.C. § 103(a) Rejections**

Claims 1-7, 11, 12 19-25, 27, 29 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Alyfuku (U.S. 5,410,471) and Brown (U.S. 2003/0163351). Further, claims 15-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Alyfuku, Brown and Padron (U.S. 2003/0135394). These rejections are believed clearly inapplicable to claims 1-7, 11, 12, 15-25, 27, 29 and 30 for the following reasons.

Amended independent claim 1 recites a system including a server, a receiving apparatus, and measurement instruments. Further, claim 1 recites that the each measurement instrument includes a vital data measurement device that measures a body temperature of a respective subject. In addition, claim 1 recites that the server includes a storage device that stores each of the body temperatures in association with residence information indicating a position of a

respective residence of the subject at which a respective measurement instrument is placed.

Claim 1 also recites that the server includes a database making device that stores the body temperatures into the storage device to make a database including the body temperatures in association with the residence information. Claim 1 recites that the server includes a value-added information making device that calculates, for each respective area of a plurality of areas, an average value of the body temperatures, based on the body temperatures of the subjects and the residence information associated with the body temperatures. Finally, claim 1 recites presenting a geographical distribution of the average values of the body temperatures, such that the geographical distribution is superimposed on a map, the geographical distribution representing the average values using shading such that the shading becomes darker as the average values increase and such that the shading becomes lighter as the average values decrease. Alyfuku, Brown and Padron, or any combination thereof fails to disclose or suggest the above-mentioned distinguishing features as recited in independent claim 1.

Rather, Alyfuku, which was relied upon for disclosing the claimed “residence information,” merely teaches that measurement position information indicates a position of a measurement instrument in a house (e.g., bedroom, bathroom, etc.) (see col. 20, lines 65-68).

Thus, in view of the above, it is clear that Alyfuku teaches that measurement information indicates a position of a measurement instrument in a house, but fails to disclose or suggest (i) the storage device that stores each of the body temperatures in association with residence information indicating a position of a respective residence of the subject at which a respective measurement instrument is placed, (ii) the database making device that stores the body temperatures into the storage device to make a database including the body temperatures in association with the residence information, and (iii) the value-added information making device

that calculates, for each respective area of a plurality of areas, an average value of the body temperatures, based on the body temperatures of the subjects and the residence information associated with the body temperatures, as required by claim 1.

Next, the Applicants note that Brown was relied on for disclosing the “geographical distribution,” as recited in claim 1. However, Brown merely teaches the use of a spot-map showing a geographical distribution and a status of public health at a specific location (see paragraph [0134]).

Thus, in view of the above, it is clear that Brown teaches using a map to show a geographical distribution and a status of public health, but fails to disclose or suggest that the geographical distribution represents the average values using shading such that the shading becomes darker as the average values increase and such that the shading becomes lighter as the average values decrease, as required by claim 1.

Therefore, because of the above-mentioned distinctions it is believed clear that claim 1 and claims 2-7, 11, 12 and 15-19 that depend therefrom would not have been obvious or result from any combination of Alyfuku and Brown.

Amended independent claims 20, 24, 25, 27 and 29 are directed to a server apparatus, a method of using a system, a method of using a server, a program and a receiving apparatus, respectively and each recite features that correspond to the above-mentioned distinguishing features of independent claim 1. Thus, for the same reasons discussed above, it is respectfully submitted that claims 20-25, 27, 29 and 30 are allowable over the prior art of record.

Furthermore, there is no disclosure or suggestion in Alyfuku and/or Brown or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Alyfuku and/or Brown to obtain the invention of independent claim 1. Accordingly, it is

respectfully submitted that independent claims 1, 20, 24, 25, 27 and 29 and claims 2-7, 11, 12, 15-19, 21-23 and 30 that depend therefrom are clearly allowable over the prior art of record.

As mentioned above, claims 15-18 was rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Alyfuku, Brown and Padron. Specifically, Padron was relied upon for teaching the limitations of claims 15-18.

In view of the above, it is respectfully submitted that Padron does not disclose or suggest the above-discussed features of independent claim 1 which are lacking from the Alyfuku and Brown references. Therefore, no obvious combination of Alyfuku and Brown with Padron would result in, or otherwise render obvious, the invention recited independent claim 1 and claims 15-18 that depend therefrom.

### III. Conclusion

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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March 9, 2010